

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

H-D U.S.A., LLC and HARLEY-  
DAVIDSON MOTOR COMPANY  
GROUP, LLC,

Plaintiffs,

v.

SUNFROG, LLC *d/b/a* SUNFROG  
SHIRTS and JOHN DOES,

Defendants.

Case No. 17-CV-711-JPS

**ORDER**

On April 12, 2018, the Court granted summary judgment to Plaintiffs on several of their claims, awarded statutory damages under the Lanham Act of \$19.2 million, and entered a permanent injunction against Defendants. (Docket #71, #72). On April 24, 2018, the parties filed a stipulation of dismissal without prejudice as to the claims and issues upon which the Court did not grant summary judgment. (Docket #73). That includes: (a) the amount of compensatory damages, if any, to award for any non-counterfeiting acts of infringement covered by Counts Two, Three, Four, Six, and Seven of Plaintiffs' Complaint; and (b) liability and damages on Count Five of Plaintiffs' Complaint. (Docket #71 at 80–81). The parties have further stipulated that the Court should vacate the remaining dates and deadlines in the trial scheduling order and enter a final judgment consistent with the Court's findings on liability, injunctive relief, and statutory damages in its April 12, 2018 order. (Docket #73 at 3). The Court will adopt this stipulation. *See* Fed. R. Civ. P. 41(a)(1)(A)(ii).

Accordingly,

**IT IS ORDERED** that that the parties' stipulation of dismissal (Docket #73) be and the same is hereby **ADOPTED**; the following matters be and the same are hereby **DISMISSED without prejudice**: (a) Plaintiffs' request for compensatory damages for non-counterfeiting acts of infringement that are requested in Counts Two, Three, Four, Six, and Seven of Plaintiffs' Complaint; and (b) Count Five of Plaintiffs' Complaint;

**IT IS FURTHER ORDERED** that the remaining deadlines in the Court's trial scheduling order (Docket #26), including the final pretrial conference and trial date, be and the same are hereby **VACATED**;

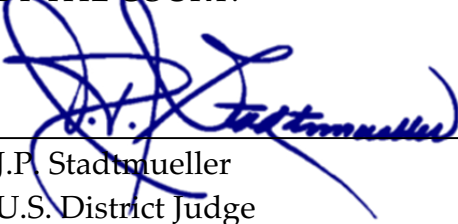
**IT IS FURTHER ORDERED** that the John Doe defendants be and the same are hereby **DISMISSED** from this action; and

**IT IS FURTHER ORDERED** that this action be and the same is hereby **DISMISSED**.

The Clerk of the Court is directed to enter a final judgment in accordance with the Court's findings on liability, injunctive relief, and statutory damages in its April 12, 2018 orders (Docket #71, #72).

Dated at Milwaukee, Wisconsin, this 27th day of April, 2018.

BY THE COURT:



J.P. Stadtmueller  
U.S. District Judge